



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2400024
Applicant Name : Ben Rankin
Address of Proposal: 917 -A 17th Avenue

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel of land into two unit lots. This subdivision of property is only for the purpose of allowing sale or lease of the unit lots. Development standards will be applied to the original parcel and not to each of the new unit lots. The existing single family structures are to remain.

The following approval is required:

Short Subdivision - To divide one parcel of land into two unit lots.
(Seattle Municipal Code Chapter 23.24)

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading,
or demolition, or another agency with jurisdiction.

BACKGROUND DATA

Site Description

The proposal site is approximately 4,800 square feet and is located in a Multi-Family Lowrise One zone (L-1) on west side of 17th Avenue, in the middle of the block between E. Spring Street and E. Marion Street. 17th Avenue is a two-lane paved street with sidewalks, curbs and gutters on both sides.

The lot has approximately 40-feet of street frontage along 17th Avenue and is approximately 119.99-feet deep. The site also abuts a 16-foot wide improved alley. Site vegetation includes grass, shrubs and trees. The site is developed with two existing single family residences.

Area Development

Zoning in the vicinity is predominately multi-family. The subject site and surrounding area is zoned Lowrise One (L-1), however, the parcels on the end of the block fronting E. Spring Street and several blocks north are all zoned Lowrise Three (L-3). In combination, these areas are developed with single-family and multi-family structures.

Proposal Description

The applicant proposes to subdivide one parcel of land into two unit lots. Proposed unit lot sizes are: A) 1,854 square feet and B) 2,945 square feet. Required vehicle access for the two unit lots would be from the adjacent 16-foot wide alley, however, there is an existing parking deficit of two parking spaces due to the year the single family homes were constructed.

Public Comments

The public comment period for the proposed project ended on March 10, 2004 and no comments were received.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short subdivision shall be approved unless all of the following facts and conditions are found to exist. The findings which follow are based upon information provided by the applicant; review of access, drainage and zoning within the Department of Planning and Development (DPD), review from Seattle Public Utilities, Seattle Fire Department and Seattle City Light, and review by the Land Use Planner.

1. Conformance to the applicable Land Use Code provisions;

The existing parent lot subject to this subdivision does not conform to all development standards of the L-1 zone, but is recognized as an existing legal nonconformity. The unit lots proposed by this subdivision conform to the standards for unit lot subdivisions (SMC 23.24.045) and other code provisions applicable to unit lot subdivisions. Any new development must conform to code requirements for the parent lot at the time of application.

2. Adequacy of access for vehicles, utilities and fire protection as provided in Section 23.53.005;

Parking is not required due to the year the two single family residences were constructed. Pedestrian access to the unit lots would be obtained from the street. However, a 3-foot wide pedestrian access easement is required from the street across Unit Lot "B" for access to Unit Lot "A". In order to insure that the use and maintenance responsibilities associated with the common areas are clear, the applicant/responsible party will be required to record an easement maintenance agreement with the final short plat.

The Seattle Fire Department has reviewed the proposed lot configuration with regard to fire protection and emergency vehicle access and has no objection. No improvements were requested by the Fire Department.

Seattle City Light has reviewed the short plat and requires an Overhead and Underground easement, Exhibit "A".

As conditioned, this short plat provides for adequate access for vehicles, utilities, and fire protection.

3. *Adequacy of water supply, sanitary sewage disposal, and drainage;*

Sanitary Sewer: Each of the existing structures located upon the proposed Unit Lots is connected by means of their own single sidesewer to a 8-inch public combined sewer (PS) located in 17th Avenue.

Drainage: The PS will be the appropriate point for stormwater discharge from any redevelopment upon the proposed short plat.

Seattle Public Utilities reviewed the unit lot subdivision application and approved a Water Availability Certificate, No. 04-0145 on February 13th, 2004. All conditions on the certificate must be met prior to receiving water service.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

The ability for Unit Lot A to post address signage in an appropriate manner visible from 17th Av is needed. This plat will be conditioned to provide an easement or covenant to accommodate address signage.

The proposed unit lot subdivision meets the minimum provisions of the Seattle Land Use Code. The proposal meets all applicable criteria for approval of a short plat as discussed in this analysis and decision. The public use and interests are served by permitting the proposed division of land.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*

The site is not an Environmentally Critical Area.

6. *Is designed to maximize the retention of existing trees;*

Not applicable, as the development of the subject site is permitted by approval of the associated building permit. No trees are expected to be removed as a result of this short subdivision.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

Section 23.24.045 of the Seattle Municipal Code provides that under certain circumstances some types of parcels may be created that do not individually meet the zoning requirements for lot size, setbacks, density, and structure width and depth. These are called unit lot subdivisions and may be permitted as long as the development as a whole meets development standards.

However, as a result of this subdivision, development on the individual lots may be non-conforming. To assure that future owners have constructive notice that additional development may be limited due to non-conformities; the following statement shall be required to be included as a note on the final short subdivision: "The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code."

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

Prior to Recording

The owner(s) and responsible party(s) shall:

1. Provide final recording forms and fees. Have the final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel or tract created by the short subdivision shall be surveyed in the field and all property corners set in conformance with appropriate state statute. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown, as well as all structures and distances from them to the proposed property lines. All existing structures, principal and accessory, shall be shown on the face of the plat and their distances to the proposed property lines dimensioned. A licensed surveyor shall stamp the short plat drawings.
2. Insert the following on the face of the plat: "The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code."

3. Provide a joint maintenance and responsibility agreement for maintenance and use of shared walls on property lines and all ingress, egress and utility easements.
4. Provide the following statement on the face of the plat to reference the Overhead and Underground easement, Exhibit "A", required by Seattle City Light: "An easement is granted to Seattle City Light as shown on page _____.
5. Provide an easement or covenant on the plat to allow for the proper posting of address signage for proposed Unit Lot A.

Signature: (signature on file) Date: May 6, 2004
Joan S. Carson, Land Use Planner II
Department of Planning and Development
Land Use Services